

REMARKS

By the present amendment, claims 1, 2, 8, 10, 11 and 14 have been amended. Claims 16 and 17 have been added. Claims 5-7 were previously canceled.

Claims 1-4 and 8-17 are currently pending in the application. Reconsideration and allowance of all of the claims is respectfully requested in view of the following remarks.

In regard to Rejection of Claims 1-4 Under 35 USC § 103(a)

The Examiner has rejected claims 1-4 under 35 U.S.C. § 103(a), as being unpatentable over Laimböck, U.S. Patent No. 6,467,562, in view of Pestotnik, U.S. Patent No. 6,182,784. The Applicants believe that this rejection has been addressed and overcome by the present amendment.

In response to the Examiner's remarks, claim 1 has been amended. Claim 1 is now believed to positively recite a family of vehicles.

The Examiner's attention is directed to the following feature of claim 1 as amended:

A family of vehicles, the family comprising:
a first land vehicle of a first vehicle type [...], the first land vehicle having a first V-type engine having a configuration, [...]
a second land vehicle of a second vehicle type [...], the second land vehicle having a second V-type engine of the same configuration as the first V-type engine, [...]
the second vehicle type being any vehicle type from the group of vehicle types other the first vehicle type [...].

The Applicants submit that at least the above feature of claim 1 as amended is not taught by Laimböck.

In order for Laimböck to teach a family of vehicles as recited in claim 1, a second vehicle of a different type must exist, having an engine of the same configuration as the engine in the motorcycle of Laimböck. The prior art fails to teach a second vehicle of a second type having an engine of this configuration. Therefore, Laimböck does not teach a family of vehicles as claimed.

This deficiency in Laimböck is not remedied by Pestotnik, without admitting that Pestotnik can be combined with Laimböck and reserving the right to argue thereagainst in the future.

Pestotnik teaches only an ATV, and does not teach an ATV having an engine with the same configuration as the engine in the motorcycle of Laimböck. Therefore, even if Laimböck and Pestotnik could be combined, which is not admitted, their combination would not teach a family of vehicles comprising first and second vehicles of different types having engines with the same configuration.

Therefore, at least one feature of claim 1 as amended is not taught by Laimböck or Pestotnik, alone or in combination, which combination is not admitted. As such, the Examiner is requested to withdraw his rejection of claim 1 and claims 2-4 depending therefrom.

In regard to Rejection of Claims 10-13 Under 35 USC § 103(a)

The Examiner has rejected claims 10-13 under 35 U.S.C. § 103(a), as being unpatentable over Laimböck in view of Pestotnik. The Applicants believe that this rejection has been addressed and overcome by the present amendment.

In response to the Examiner's remarks, claim 10 has been amended. Claim 10 is now believed to positively recite a family of vehicles.

The Examiner's attention is directed to the following feature of claim 10 as amended:

A family of vehicles, the family comprising:
a land vehicle [...]; and
a water vehicle [...]

Laimböck relates to a "drive unit for a motorcycle" (column 1, line 5), and as such makes no mention of a water vehicle or any features thereof. Therefore, Laimböck does not teach a family of vehicles comprising a water vehicle as claimed.

This deficiency in Laimböck is not remedied by Pestotnik.

Pestotnik relates to a "personal all-terrain vehicle" (column 1, line 8), and as such makes no mention of a water vehicle or any features thereof. Therefore, even if Laimböck

and Pestotnik could be combined, which is not admitted, their combination would not teach a family of vehicles comprising a water vehicle as claimed.

Therefore, at least one feature of claim 10 as amended is not taught by Laimböck or Pestotnik, alone or in combination, which combination is not admitted. As such, the Examiner is requested to withdraw his rejection of claim 10 and claims 11-13 depending therefrom.

In regard to Rejection of Claims 8 and 9 Under 35 USC § 103(a)

The Examiner has rejected claims 8 and 9 under 35 U.S.C. § 103(a), as being unpatentable over Laimböck in view of Pestotnik, and further in view of the Ducati Museum web page. The Applicants believe that this rejection has been addressed and overcome by the present amendment.

The Examiner's attention is directed to the following feature of claim 1 as amended:

A family of vehicles, the family comprising:
a first land vehicle of a first vehicle type [...], the first land vehicle having a first V-type engine having a configuration, [...]
a second land vehicle of a second vehicle type [...], the second land vehicle having a second V-type engine of the same configuration as the first V-type engine, [...]
the second vehicle type being any vehicle type from the group of vehicle types other the first vehicle type [...].

As discussed above with respect to claims 1-4, the above feature of claim 1 as amended is not taught by Laimböck, and this deficiency in Laimböck is not remedied by Pestotnik.

This deficiency in Laimböck is also not remedied by the Ducati Museum web page, without admitting that the Ducati Museum web page can be combined with either Pestotnik or Laimböck and reserving the right to argue thereagainst in the future.

The Examiner relies on the Ducati Museum web page to teach particular aspects of engine configurations that he recognizes are not taught in either Laimböck or Pestotnik, namely a 750 cc, 90-degree V-type engine. As such, neither Laimböck nor Pestotnik teach a vehicle having an engine with the same configuration as the engine described on the Ducati

Museum web page. Therefore, the combination of Laimböck, Pestotnik and the Ducati Museum web page, which combination is not admitted, does not teach a family of vehicles comprising first and second vehicles of different types having engines with the same configuration.

Therefore, at least one feature of claim 1 as amended is not taught by Laimböck, Pestotnik or the Ducati Museum web page, alone or in combination, which combination is not admitted. As such, the Examiner is requested to withdraw his rejection of claims 8 and 9 depending therefrom.

In regard to Rejection of Claims 14 and 15 Under 35 USC § 103(a)

The Examiner has rejected claims 14 and 15 under 35 U.S.C. § 103(a), as being unpatentable over Laimböck in view of Pestotnik, and further in view of the Ducati Museum web page. The Applicants believe that this rejection has been addressed and overcome by the present amendment.

The Examiner's attention is directed to the following feature of claim 10 as amended:

A family of vehicles, the family comprising:
a land vehicle [...]; and
a water vehicle [...]

As discussed above with respect to claims 10-13, the above feature of claim 10 as amended is not taught by Laimböck, and this deficiency in Laimböck is not remedied by Pestotnik.

This deficiency in Laimböck is also not remedied by the Ducati Museum web page, without admitting that the Ducati Museum web page can be combined with either Pestotnik or Laimböck and reserving the right to argue thereagainst in the future.

The Ducati Museum web page relates to motorcycles, and as such makes no mention of a water vehicle or any features thereof. Therefore, even if the Ducati Museum web page could be combined with Laimböck or Pestotnik, which is not admitted, their combination would not teach a family of vehicles comprising a water vehicle as claimed.

Therefore, at least one feature of claim 10 as amended is not taught by Laimböck, Pestotnik or the Ducati Museum web page, alone or in combination, which combination is

not admitted. As such, the Examiner is requested to withdraw his rejection of claims 14 and 15 depending therefrom.

Additional Amendments

By the present amendment, claims 16 and 17 have been added. The dependencies of claims 2, 8, 11 and 14 have been amended in view of the addition of claims 16 and 17. Claims 16 and 17 are believed to be allowable in view of their dependency from claims 1 and 10, respectively. In particular, claims 16 and 17 are believed to positively require the existence of the family of vehicles recited in claims 1 and 10 respectively, from which they depend.

In view of the above remarks, the Applicants respectfully submit that all of the currently pending claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in a better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

At the time of filing of the present response, the Office was authorized to charge the fees believed to be necessary to a credit card. In case of any under- or over-payment or should any additional fee be otherwise necessary, the Office is hereby authorized to credit or debit (as the case may be) Deposit Account number 502977.

Respectfully submitted,

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